

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

GEOTAG, INC.

PLAINTIFF,

v.

CIVIL ACTION NO. _____

RENT-A-CENTER, INC.;
ALAMO RENT A CAR, LLC;
ADVANCE AUTO PARTS, INC.;
ADVANCE STORES COMPANY, INC.;
APPLIED INDUSTRIAL TECHNOLOGIES, INC.;
AS AMERICA, INC. D/B/A AMERICAN
STANDARD BRANDS D/B/A AMERICAN
STANDARD;
AUTONATION, INC.;
AUTOZONE, INC.;
AVALON GLOBAL GROUP, INC.;
AVIS BUDGET GROUP, INC.;
AVIS RENT A CAR SYSTEM, LLC;
BRAKE CENTERS OF THE SOUTHWEST, INC.
D/B/A JUST BRAKES;
CARMAX BUSINESS SERVICES, LLC;
CARMAX, INC.;
CHRISTUS HEALTH A/K/A CHRISTUS HEALTH
NON-PROFIT CORP.;
CHRISTUS HEALTH FOUNDATION;
DISCOUNT TIRE CO. D/B/A DISCOUNT TIRE
D/B/A AMERICA'S TIRE;
DOLLAR RENT A CAR, INC.;
DOLLAR THRIFTY AUTOMOTIVE GROUP, INC.;
E-ADVANCE, LLC;
ENTERPRISE HOLDING, INC.;
ENTERPRISE RENT-A-CAR CO.;
GROUP 1 AUTOMOTIVE, INC. D/B/A GROUP
ONE AUTOMOTIVE;
INTERSTATE BATTERY SYSTEMS OF
AMERICA, INC.;
JUST BRAKES OF NEVADA, INC. D/B/A JUST
BRAKES;
NATIONAL CAR RENTAL SYSTEM, INC.;
O'REILLY AUTOMOTIVE, INC. DBA O'REILLY

AUTO PARTS;
PAYLESS CAR RENTAL SYSTEM, INC.;
PENSKE AUTOMOTIVE GROUP, INC.;
PENSKE CORP.;
PENSKE SYSTEM, INC.;
PENSKE TRUCK LEASING CO., L.P.;
RHINO LININGS CORP.;
THE HERTZ CORP. D/B/A HERTZ CORP. D/B/A
HERTZ CAR RENTAL;
THE PEP BOYS -- MANNY, MOE & JACK D/B/A
PEP BOYS;
THE REINALT-THOMAS CORP.;
THRIFTY, INC. D/B/A THRIFTY CAR RENTAL;
TRANE U.S. INC.; TRANE, INC. F/K/A
AMERICAN STANDARD COMPANIES, INC.;
VANGUARD CAR RENTAL GROUP INC.; AND
VANGUARD CAR RENTAL USA INC. D/B/A
ALAMO RENT A CAR D/B/A NATIONAL CAR
RENTAL,

DEFENDANTS.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff GEOTAG, INC. files this Complaint against RENT-A-CENTER, INC.; ALAMO RENT A CAR, LLC; ADVANCE AUTO PARTS, INC.; ADVANCE STORES COMPANY, INC.; APPLIED INDUSTRIAL TECHNOLOGIES, INC.; AS AMERICA, INC. D/B/A AMERICAN STANDARD BRANDS D/B/A AMERICAN STANDARD; AUTONATION, INC.; AUTOZONE, INC.; AVALON GLOBAL GROUP, INC.; AVIS BUDGET GROUP, INC.; AVIS RENT A CAR SYSTEM, LLC; BRAKE CENTERS OF THE SOUTHWEST, INC. D/B/A JUST BRAKES; CARMAX BUSINESS SERVICES, LLC; CARMAX, INC.; CHRISTUS HEALTH A/K/A CHRISTUS HEALTH NON-PROFIT CORP.; CHRISTUS HEALTH FOUNDATION; DISCOUNT TIRE CO. D/B/A DISCOUNT TIRE D/B/A AMERICA'S TIRE; DOLLAR RENT A CAR, INC.; DOLLAR THRIFTY AUTOMOTIVE GROUP, INC.; E-ADVANCE, LLC; ENTERPRISE HOLDING, INC.; ENTERPRISE RENT-A-CAR CO.; GROUP 1 AUTOMOTIVE, INC. D/B/A GROUP ONE

AUTOMOTIVE; INTERSTATE BATTERY SYSTEMS OF AMERICA, INC.; JUST BRAKES OF NEVADA, INC. D/B/A JUST BRAKES; NATIONAL CAR RENTAL SYSTEM, INC.; O'REILLY AUTOMOTIVE, INC. DBA O'REILLY AUTO PARTS; PAYLESS CAR RENTAL SYSTEM, INC.; PENSKE AUTOMOTIVE GROUP, INC.; PENSKE CORP.; PENSKE SYSTEM, INC.; PENSKE TRUCK LEASING CO., L.P.; RHINO LININGS CORP.; THE HERTZ CORP. D/B/A HERTZ CORP. D/B/A HERTZ CAR RENTAL; THE PEP BOYS -- MANNY, MOE & JACK D/B/A PEP BOYS; THE REINALT-THOMAS CORP.; THRIFTY, INC. D/B/A THRIFTY CAR RENTAL; TRANE U.S. INC.; TRANE, INC. F/K/A AMERICAN STANDARD COMPANIES, INC. and VANGUARD CAR RENTAL USA INC. D/B/A ALAMO RENT A CAR D/B/A NATIONAL CAR RENTAL and VANGUARD CAR RENTAL USA, INC. (collectively "Defendants"), as follows:

PARTIES

1. Plaintiff GEOTAG, INC. ("GEOTAG" or "Plaintiff") is a Delaware Corporation with a place of business in Plano, Texas.
2. On information and belief, Defendant RENT-A-CENTER, INC. ("RENT-A-CENTER") has a place of business in Plano, Texas.
3. On information and belief, Defendant ALAMO RENT A CAR, LLC ("ALAMO") has a place of business in Fort Lauderdale, Florida.
4. On information and belief, Defendant ADVANCE AUTO PARTS, INC. has a place of business in Roanoke, Virginia.
5. On information and belief, Defendant ADVANCE STORES COMPANY, INC. has a place of business in Roanoke, Virginia. Hereinafter ADVANCE AUTO PARTS, INC. and ADVANCE STORES COMPANY, INC. are collectively referred to as "ADVANCE AUTO."

6. On information and belief, Defendant APPLIED INDUSTRIAL TECHNOLOGIES, INC. has a place of business in Cleveland, Ohio.

7. On information and belief, Defendant AS AMERICA, INC. D/B/A AMERICAN STANDARD BRANDS D/B/A AMERICAN STANDARD has a place of business in Piscataway, New Jersey. Hereinafter APPLIED INDUSTRIAL TECHNOLOGIES, INC. and AS AMERICA, INC. D/B/A AMERICAN STANDARD BRANDS D/B/A AMERICAN STANDARD are referred to as (“APPLIED”).

8. On information and belief, Defendant AUTONATION, INC. (“AUTONATION”) has a place of business in Fort Lauderdale, Florida.

9. On information and belief, Defendant AUTOZONE, INC. (“AUTOZONE”) has a place of business in Memphis, Tennessee.

10. On information and belief, Defendant AVALON GLOBAL GROUP, INC.; (“AVALON”) has a place of business in St. Petersburg, Florida.

11. On information and belief, Defendant AVIS BUDGET GROUP, INC. has a place of business in Parsippany, New Jersey.

12. On information and belief, Defendant AVIS RENT A CAR SYSTEM, LLC has a place of business in Parsippany, New Jersey. Hereinafter AVIS BUDGET GROUP, INC. and AVIS RENT A CAR SYSTEM, LLC are collectively referred to as “AVIS BUDGET.”

13. On information and belief, Defendant BRAKE CENTERS OF THE SOUTHWEST, INC. D/B/A JUST BRAKES (“BRAKE CENTERS”) has a place of business in Dallas, Texas.

14. On information and belief, Defendant CARMAX BUSINESS SERVICES, LLC has a place of business in Richmond, Virginia.

15. On information and belief, Defendant CARMAX, INC. has a place of business in Richmond, Virginia. Hereinafter, CARMAX BUSINESS SERVICES, and CARMAX, INC. are collectively referred to as “CARMAX.”

16. On information and belief, Defendant CHRISTUS HEALTH A/K/A CHRISTUS HEALTH NON-PROFIT CORP. has a place of business in Irving, Texas.

17. On information and belief, Defendant CHRISTUS HEALTH FOUNDATION has a place of business in Irving, Texas. Hereinafter CHRISTUS HEALTH A/K/A CHRISTUS HEALTH NON-PROFIT CORP. and CHRISTUS HEALTH FOUNDATION are collectively referred to as “CHRISTUS.”

18. On information and belief, Defendant DISCOUNT TIRE CO. D/B/A DISCOUNT TIRE D/B/A AMERICA'S TIRE has a place of business in Scottsdale, Arizona.

19. On information and belief, Defendant DOLLAR RENT A CAR, INC. has a place of business in Tulsa, Oklahoma.

20. On information and belief, Defendant DOLLAR THRIFTY AUTOMOTIVE GROUP, INC. has a place of business in Tulsa, Oklahoma.

21. On information and belief, Defendant E-ADVANCE, LLC has a place of business in Roanoke, Virginia.

22. On information and belief, Defendant ENTERPRISE HOLDING, INC. has a place of business in Tulsa, Oklahoma.

23. On information and belief, Defendant ENTERPRISE RENT-A-CAR CO. has a place of business in Tulsa, Oklahoma.

24. On information and belief, Defendant GROUP 1 AUTOMOTIVE, INC. D/B/A GROUP ONE AUTOMOTIVE (“GROUP 1”) has a place of business in Houston, Texas.

25. On information and belief, Defendant INTERSTATE BATTERY SYSTEMS OF AMERICA, INC. (“INTERSTATE BATTERY”) has a place of business in Dallas, Texas.

26. On information and belief, Defendant JUST BRAKES OF NEVADA, INC. D/B/A JUST BRAKES (“JUST BRAKES OF NEVADA”) has a place of business in Dallas, Texas.

27. On information and belief, Defendant NATIONAL CAR RENTAL SYSTEM, INC. (“NATIONAL”) has a place of business in Tulsa, Oklahoma.

28. On information and belief, Defendant O'REILLY AUTOMOTIVE, INC. DBA O'REILLY AUTO PARTS (“O'REILLY”) has a place of business in Springfield, Missouri.

29. On information and belief, Defendant PAYLESS CAR RENTAL SYSTEM, INC. (“PAYLESS”) has a place of business in St. Petersburg, Florida.

30. On information and belief, Defendant PENSKE AUTOMOTIVE GROUP, INC. (“PENSKE”) has a place of business in Reading, Pennsylvania.

31. On information and belief, Defendant PENSKE CORP. has a place of business in Reading, Pennsylvania.

32. On information and belief, Defendant PENSKE SYSTEM, INC. has a place of business in Reading, Pennsylvania.

33. On information and belief, Defendant PENSKE TRUCK LEASING CO., L.P. has a place of business in Reading, Pennsylvania. Hereinafter PENSKE CORP., PENSKE SYSTEM, INC. and PENSKE TRUCK LEASING CO., L.P. are collectively referred to as “PENSKE.”

34. On information and belief, Defendant RHINO LININGS CORP. (“RHINO”) has a place of business in San Diego, California.

35. On information and belief, Defendant THE HERTZ CORP. D/B/A HERTZ CORP. D/B/A HERTZ CAR RENTAL (“HERTZ”) has a place of business in Park Ridge, New Jersey.

36. On information and belief, Defendant THE PEP BOYS -- MANNY, MOE & JACK D/B/A PEP BOYS (“PEP BOYS”) has a place of business in Philadelphia, Pennsylvania.

37. On information and belief, Defendant THE REINALT-THOMAS CORP. has a place of business in Scottsdale, Arizona. Hereinafter DISCOUNT TIRE CO. D/B/A DISCOUNT TIRE D/B/A AMERICA'S TIRE and THE REINALT-THOMAS CORP. are collectively referred to as “DISCOUNT TIRE.”

38. On information and belief, Defendant THRIFTY, INC. D/B/A THRIFTY CAR RENTAL (“THRIFTY”) has a place of business in Tulsa, Oklahoma. Hereinafter THRIFTY, INC. D/B/A THRIFTY CAR RENTAL, DOLLAR RENT A CAR, INC. and DOLLAR THRIFTY AUTOMOTIVE GROUP, INC. are collectively referred to as “DOLLAR THRIFTY.”

39. On information and belief, Defendant TRANE U.S. INC. has a place of business in Piscataway, New Jersey.

40. On information and belief, Defendant TRANE, INC. F/K/A AMERICAN STANDARD COMPANIES, INC. has a place of business in Piscataway, New Jersey. Hereinafter, defendants TRANE U.S. INC. and TRANE, INC. F/K/A AMERICAN STANDARD COMPANIES, INC. are referred to as (“TRANE”).

41. On information and belief, Defendant VANGUARD CAR RENTAL GROUP INC. has a place of business in Tulsa, Oklahoma. On information and belief, Defendant

VANGUARD CAR RENTAL USA INC. D/B/A ALAMO RENT A CAR D/B/A NATIONAL CAR RENTAL has a place of business in Tulsa, Oklahoma.

42. On information and belief, Defendant VANGUARD CAR RENTAL USA, INC. has a place of business in Tulsa, Oklahoma. Hereinafter, defendants VANGUARD CAR RENTAL GROUP INC., VANGUARD CAR RENTAL USA INC. D/B/A ALAMO RENT A CAR D/B/A NATIONAL CAR RENTAL, and VANGUARD CAR RENTAL USA, INC. are referred to as ("VANGUARD). Hereinafter, defendants E-ADVANCE, LLC, ENTERPRISE HOLDING, INC., ENTERPRISE RENT-A-CAR CO., NATIONAL and VANGUARD are referred to as ("ENTERPRISE").

JURISDICTION AND VENUE

43. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). On information and belief, the Defendants are subject to this Court's specific and general personal jurisdiction, pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including related to the infringements alleged herein. Further, on information and belief, Defendants have interactive websites comprising infringing methods and apparatuses which are at least used in and/or accessible in this forum. Further, on information and belief, Defendants are subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to persons or entities in Texas.

44. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). Without limitation, on information and belief, Defendants are subject to personal jurisdiction in

this district. On information and belief, the Defendants are subject to this Court's specific and general personal jurisdiction in this district, pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this district, including related to the infringements alleged herein. Further, on information and belief, Defendants have interactive websites comprising infringing methods and apparatuses which are at least used in and/or accessible in this district. Further, on information and belief, Defendants are subject to the Court's general jurisdiction in this district, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to persons or entities in this district.

45. Further, venue of this action is appropriate and convenient because this Court previously heard a parallel action for infringement of the same '474 patent in *Geomas (International), Ltd., et al. vs. Idearc Media Services-West, Inc., et al.*, Civil Action No. 2:06-CV-00475-CE ("the Geomas Lawsuit"). In the Geomas Lawsuit this Court considered and construed the terms and claims of the '474 patent, as set forth in the Court's Memorandum Opinion and Order issued on November 20, 2008.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 5,930,474

46. United States Patent No. 5,930,474 (the "'474 patent"), entitled "Internet Organizer for Accessing Geographically and Topically Based Information," duly and legally issued on July 29, 1999.

47. GEOTAG is the assignee of the '474 Patent and it has standing to bring this lawsuit for infringement of the '474 Patent.

48. The claims of the '474 Patent cover, *inter alia*, systems and methods which comprise associating on-line information with geographic areas, such systems and methods comprising computers, an organizer, and a search engine configured to provide a geographical search area wherein at least one entry associated with a broader geographical area is dynamically replicated into at least one narrower geographical area, the search engine further configured to search topics within the selected geographical search area.

49. On information and belief, all Defendants named herein have infringed the '474 patent pursuant to 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent.

50. On information and belief, RENT-A-CENTER has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the find a store at www.rentacenter.com.

51. On information and belief, ALAMO has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise reservations at www.alamo.com and/or www.nationalcar.com.

52. On information and belief, ADVANCE AUTO PARTS. has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the store locator; store availability for pick up of parts/accessories at www.advanceautoparts.com and/or <http://shop.advanceautoparts.com>.

53. On information and belief, APPLIED has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the where to buy and located where you need us at www.applied.com and www.americanstandard-us.com.

54. On information and belief, AUTONATION has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise find a dealer at www.autonation.com.

55. On information and belief, AUTOZONE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On

information and belief, such systems and methods comprise my local store at www.autozone.com.

56. On information and belief, AVALON has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise locations at www.paylesscar.com.

57. On information and belief, AVIS BUDGET has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise reservations at www.avis.com and/or www.budget.com.

58. On information and belief, BRAKE CENTERS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the service center locator at www.justbreaks.com.

59. On information and belief, CARMAX has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On

information and belief, such systems and methods comprise the advanced search and find a store at www.carmax.com.

60. On information and belief, CHRISTUS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the facilities, clinics and services search at www.christushealth.com.

61. On information and belief, DISCOUNT TIRE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the store locator at www.discounttire.com.

62. On information and belief, DOLLAR THRIFTY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise reservations at www.dollar.com and/or www.thrifty.com.

63. On information and belief, ENTERPRISE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line

information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the store locator; store availability for pick up of parts/accessories at www.enterprise.com, www.alamo.com, and/or www.nationalcar.com.

64. On information and belief, GROUP 1 has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the dealer search and interactive franchise map at www.group1auto.com.

65. On information and belief, INTERSTATE BATTERY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the dealer locator at www.interstatebatteries.com.

66. On information and belief, JUST BRAKES OF NEVADA has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the service center locator at www.justbreaks.com.

67. On information and belief, O'REILLY has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise your store at www.oreillyauto.com.

68. On information and belief, PAYLESS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise locations at www.paylesscar.com.

69. On information and belief, PENSKE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the truck rental and locations finder at www.penske.com and/or www.pensketruckrental.com.

70. On information and belief, RHINO has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the locate nearest applicator at www.rhinolinings.com.

71. On information and belief, HERTZ has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise reservations at www.hertz.com.

72. On information and belief, PEP BOYS has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise "to see pricing and availability" at www.pepboys.com.

73. On information and belief, TRANE has infringed the '474 patent in violation of 35 U.S.C. § 271 through actions comprising the making, using, selling and/or offering for sale in the United States systems and methods which comprise associating on-line information with geographic areas and which are covered by one or more claims of the '474 patent. On information and belief, such systems and methods comprise the dealer locator at www.trane.com.

74. To the extent that facts learned during the pendency of this case show that Defendants' infringement is, or has been willful, GEOTAG reserves the right to request such a finding at time of trial.

75. As a result of Defendants' infringing conduct, Defendants have damaged GEOTAG. Defendants are liable to GEOTAG in an amount that adequately compensates GEOTAG for their infringement, which, by law, can be no less than a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, GEOTAG respectfully requests that this Court enter:

1. A judgment in favor of GEOTAG that Defendants have infringed the '474 patent;
2. A permanent injunction enjoining Defendants, and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of the '474 patent;
3. A judgment and order requiring Defendants to pay GEOTAG its damages, costs, expenses, and prejudgment and post-judgment interest for Defendants' infringement of the '474 patent as provided under 35 U.S.C. § 284;
4. An award to GEOTAG for enhanced damages as provided under 35 U.S.C. § 284;
5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to GEOTAG its reasonable attorneys' fees; and
6. Any and all other relief to which GEOTAG may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, GEOTAG requests a trial by jury of any issues so triable by right.

December 17, 2010

Respectfully submitted,

GEOTAG, INC.

By: /s/ John J. Edmonds

John J. Edmonds – Lead Counsel

Texas Bar No. 789758

Michael J. Collins

Texas Bar No. 4614510

Stephen F. Schlather

Texas Bar No. 24007993
COLLINS, EDMONDS & POGORZELSKI, PLLC
1616 S. Voss Road, Suite 125
Houston, Texas 77057
Telephone: (281) 501-3425
Facsimile: (832) 415-2535
jedmonds@cepiplaw.com
mcollins@cepiplaw.com
sschlather@cepiplaw.com

L. Charles van Cleef
Texas Bar No. 786305
Van Cleef Law Office
500 N Second Street
Longview, Texas 75601
(903) 238-8244
(903) 248-8249 Facsimile
charles@vancleef.net

ATTORNEYS FOR PLAINTIFF
GEOTAG, INC.